

RESOLUTION #223 of 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR MODIFICATIONS TO
THE 2016 CITIBUS BUDGET

Sponsored by: Finance/Audit Committee
Aldermen Koop, Scott Childress, Davis, Schabot, Brown

WHEREAS, Citibus has requested a budget transfer in the amount of \$15,000.00 to cover shortages in various accounts; and

WHEREAS, the Finance/Economic Development Committee has received, reviewed and approved this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the sum of \$15,000.00 be transferred as follows:

FROM: A15630.5426 Vehicle Fuel \$15,000.00

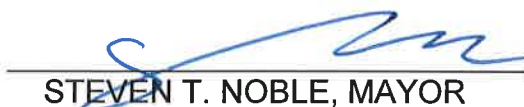
TO: A15630.5444 Vehicle Maintenance \$15,000.00

SECTION 2. That this resolution shall take effect immediately.

Submitted to the Mayor this 2nd
day of November 2016.

Approved by the Mayor this 2nd
day of November 2016.


CARLY WINNIE, CITY CLERK


STEVEN T. NOBLE, MAYOR

Adopted by Council November 1, 2016

Financial Impact - \$0

BUS bud mod

RESOLUTION #224 of 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR MODIFICATIONS
TO THE 2016 CIVIL SERVICE BUDGET

Sponsored by: Finance/Audit Committee
Aldermen Koop, Scott-Childress, Davis, Schabot, Brown

WHEREAS, the Civil Service Department has requested a transfer in the amount of \$2,380.39 to cover various shortages; and

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request:


NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the sum of \$2,380.39 be transferred, as follows:


FROM:	A11430.5464	Advertising	\$202.83
	A11430.5461	Travel Reimbursement	\$177.56
	A11430.5472	Contracted Services	\$500.00
	A11430.5402	Office Supplies	<u>\$1,500.00</u>
			\$2,380.39
TO:	A11430.5462	Contracted Services	\$17.33
	A11430.5463	Postage	\$500.00
	A11430.5458	Exam Fees	\$1,363.06
	A11430.5103	Overtime	<u>\$500.00</u>
			\$2,380.39

SECTION 2. That this resolution shall take effect immediately.

Submitted to the Mayor this 2nd
day of November, 2016.


CARLY WINNIE, CITY CLERK

Approved by the Mayor this 2nd
day of November, 2016.


STEVEN T. NOBLE, MAYOR

Adopted by Council on November 1, 2016

Financial Impact – \$0

CIVIL SERVICE BUD MOD

RESOLUTION #225 of 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR MODIFICATIONS TO
THE 2016 WASTEWATER TREATMENT FACILITY BUDGET

Sponsored by: Finance/Audit Committee
Aldermen Koop, Scott-Childress, Davis, Schabot, Brown

WHEREAS, the Wastewater Treatment Facility has requested a budget transfer in the amount of \$33,300.00 to cover various budget shortfalls; and

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the sum of \$33,300.00 be transferred as follows:

FROM:	G18130.5422	Electricity	\$32,900.00
	G18121.5474	Fixed Mechanical Equip.	<u>\$400.00</u>
			\$33,300.00
TO:	G18130.5109	Temp Status Change	\$600.00
	G18130.5401	General Contract Exp	\$20,000.00
	G18130.5411	Consultants	\$2,500.00
	G18130.5444	Vehicle Maintenance	\$1,200.00
	G18130.5462	Dues, Seminars, Assoc	\$100.00
	G18130.5479	Minor Equipment	\$2,500.00
	G18130.5481	Lab Materials & Supplies	<u>\$6,000.00</u>
			\$33,300.00

SECTION 2. That this resolution shall take effect immediately.

Submitted to the Mayor this 2nd

day of November, 2016.


CARLY WINNIE, CITY CLERK

Approved by the Mayor this 2nd

day of November, 2016.


STEVEN T. NOBLE, MAYOR

Adopted by Council November 1, 2016
Financial Impact - \$0

RESOLUTION #226 of 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR MODIFICATIONS TO
THE 2016 DEPARTMENT OF PUBLIC WORKS BUDGET

Sponsored by: Finance/Audit Committee
Aldermen Koop, Scott-Childress, Davis, Schabot, Brown

WHEREAS, the Superintendant of Public Works has requested a budget transfer in the amount of \$4,693.64 to cover budget shortfalls as well as expenses associated with Resolution #67 of 2016; and

WHEREAS, the Finance/Economic Development Committee has received, reviewed and approved this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the sum of \$4,693.64 be transferred as follows:

FROM:	A11490.5426	Admin Vehicle Fuel	\$4,693.64
TO:	A11490.5103	Admin Overtime	\$193.64
	A11490.5205	Admin Computer Equip	\$3,500.00
	A15182.5487	Street Lighting	<u>\$1,000.00</u>
			\$4,693.64

SECTION 2. That this resolution shall take effect immediately.

Submitted to the Mayor this 2nd
day of November 2016.


CARLY WINNIE, CITY CLERK

Approved by the Mayor this 2nd
day of November 2016.


STEVEN T. NOBLE, MAYOR

Adopted by Council November 1, 2016

Financial Impact - \$0

RESOLUTION #227 of 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR MODIFICATIONS TO
THE 2016 CITY CLERK'S BUDGET

Sponsored by: Finance/Audit Committee
Aldermen Koop, Scott-Childress, Davis, Schabot, Brown

WHEREAS, a request has been made by the City Clerk for funds to cover overtime expenses; and

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the sum of \$2,678.00 be transferred as attached:

From:	A11620.5422	Building Maintenance – Electric	\$1,000.00
	A11620.5423	Building Maintenance –Gas	\$1,678.00
			<u>\$2,678.00</u>
To:	A11410.5103	City Clerk Overtime	\$1,985.00
	A11620.5103	Building Maintenance Overtime	\$693.00
			<u>\$2,678.00</u>

SECTION 2. That this resolution shall take effect immediately.

Submitted to the Mayor this 2nd
day of November 2016.

Approved by the Mayor this 2nd
day of November 2016.


CARLY WINNIE, CITY CLERK


STEVEN T. NOBLE, MAYOR

Financial Impact: 0

Adopted by Council on November 1, 2016

Clerk Bud Mod

RESOLUTION #228 of 2016

AN ORDINANCE AMENDING AN ORDINANCE IN RELATION TO TRAFFIC
ON THE PUBLIC STREETS OF THE CITY OF KINGSTON, NEW YORK
ADDING HANDICAP PARKING ON PRINCE STREET

Sponsored By: Public Safety/General Government Committee
Aldermen Schabot, Scott-Childress, Mills, Davis, Brown

WHEREAS, in the interest of safety and the needs of the residents, parking on the streets must be regulated:

NOW, THEREFORE, BE IT RESOLVED THAT THE COMMON COUNCIL OF THE CITY OF KINGSTON DOES ORDAIN AND ENACT THE FOLLOWING:

Section 1: ARTICLE 7, SECTION 390-57, "HANDICAPPED PARKING" is hereby Amended by ADDING the following:

Handicap Parking in front of 38 Prince Street

Section 2: All ordinances and parts thereof, inconsistent herewith are hereby repealed.

Section 3: This ordinance shall take effect immediately after passage, approval and publication as provided by law.

Submitted to the Mayor this 2nd
day of November, 2016


CARLY WINNIE, CITY CLERK

Approved by the Mayor this 2nd
day of November, 2016


STEVEN T. NOBLE, MAYOR

Adopted by Council on November 1, 2016

Resolution 229 of 2016

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
RECOMMENDING THE APPOINTMENT OF STEPHEN PAMPINELLA AS A MEMBER OF
THE INTERIM BOARD OF DIRECTORS FOR THE LOCAL LAND BANK**

Sponsored By: Public Safety/General Government Committee: Aldermen:
Schabot, Eckert, Davis, Brown

WHEREAS, Resolution 141 of 2015 authorized the Mayor of the City of Kingston to take such steps as necessary for the creation of an entity for the purpose of Land Banking activities with an Interim Board of Directors; and

WHEREAS, the Interim Board of Directors is made up of the City Engineer, City Planner, Head of Building Safety, an appointment by the Mayor and an appointment by the Common Council of the City of Kingston; and

WHEREAS, the only appointment left is one to be made by the Common Council of the City of Kingston; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the Common Council of the City of Kingston hereby appoints Stephen Pampinella to the Interim Board of Directors of the Local Land Bank.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this 2nd day of
November, 2016


Carly Winnie, City Clerk

Approved by the Mayor this 2nd day of
November, 2016


Steven T. Noble, Mayor

Adopted by Council on November 1, 2016

Resolution 230 of 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE SOLICITATION OF COMPETITIVE BIDS FOR THE SALE OF 416
FIRST AVENUE, TAX MAP NO. 48.16-5-18

Sponsored By: Finance and Audit Committee: Aldermen: Koop,
Scott-Childress, Davis, Schabot, Brown

WHEREAS, 416 First Avenue, Tax Map No. 48.16-5-18 is a City owned property; and

WHEREAS, the sale of said property is in the best interest of the City of Kingston; and

WHEREAS, solicitation of competitive bids for the sale of 416 First Avenue is recommended and requesting that Common Council approve the sale of said property by a three-fourths vote; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That 416 First Avenue, Tax Map No. 48.16-5-18, be advertised for sale in the newspaper of record and on the website of the City of Kingston two weeks prior to the opening date of bids.

SECTION 2. That 10% of the bid price shall be payable at the time of said bid by cash or certified check made payable to the City of Kingston.

SECTION 3. That the City of Kingston reserves the right to reject any and all bids.

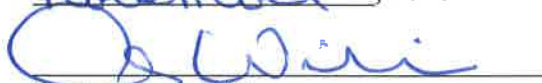
SECTION 4. That the Mayor is hereby authorized to sign a quitclaim deed conveying all of the City of Kingston's interest in said properties to the highest bidder.

SECTION 5. That a building permit, any variances and Certificate of Occupancy must be obtained where applicable.


SECTION 6. That the closing of this purchase and payment in full of the purchase price plus all necessary filing and recording fees must occur within sixty (60) days of the date of the public auction.

SECTION-7. This resolution shall take effect immediately.

Submitted to the Mayor this 2nd day of
November, 2016


Carly Winnie, City Clerk

Approved by the Mayor this 2nd day of
November, 2016


Steven T. Noble, Mayor

Adopted by Council on November 1, 2016

Resolution 231 of 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING AN ADDITIONAL BOND ORDINANCE IN THE SUM OF \$100,000.00 FOR
THE PURPOSE OF DEVELOPING DESIGN AND BID DOCUMENTS FOR REMOVAL OF
THE SANITARY BLOCKAGE

Sponsored By: Finance and Audit Committee:

Aldermen: Koop, Scott-Childress, Davis, Schabot, Brown

WHEREAS, Clark Patterson Lee has developed several alternative sanitary and stormwater flow regimes to fully rehabilitate the Washington Avenue Tunnel; and

WHEREAS, it is in the best interests of the City of Kingston to pursue removal of the sanitary sewer blockage while further consideration of alternatives is given.

WHEREAS, additional bonding in the sum of \$100,000.00 is requested for the purpose of developing design and bid documents for removal of the sanitary blockage and obtaining bids for such work for future funding consideration.


NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the Common Council authorizes an additional amount of \$100,000.00 be provided through General Municipal bonding to pay for the developing of design and bid documents for removal of the sanitary blockage and obtaining bids for such work for future funding consideration, thereby increasing the bond amount to \$200,000.00.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this 2nd day of
November, 2016

Approved by the Mayor this 2nd day of
November, 2016


Carly Winnie, City Clerk


Steven T. Noble, Mayor

Adopted by Council on November 1, 2016

Resolution 232 of 2016

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING AND ADOPTING AN ADDITIONAL BOND ORDINANCE IN THE SUM OF
\$50,000.00 TO PAY FOR CONTINUED BYPASS PUMPING OPERATIONS AROUND THE
TANNERY BROOK SHAFT TO THE WASHINGTON AVENUE TUNNEL DUE TO A
SANITARY SEWER BLOCKAGE

Sponsored By: Finance and Audit Committee:

Aldermen: Koop, Scott-Childress, Davis, Schabot, Brown

WHEREAS, due to the current internal sanitary by-pass within the confines of the Washington Avenue Tunnel, stormwater from the Tannery Brook is required to be routed around the Tannery Brook Shaft entrance through the 24" gravity overflow pipe and diesel powered by-pass pump; and

WHEREAS, initial funding of \$50,000.00 for said purpose has nearly been exhausted; and

WHEREAS, the additional sum of \$50,000.00 is requested to continue said bypass pumping, increasing the bond amount to \$100,000.00.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the Common Council authorizes an additional amount of \$50,000.00 to be provided through General Municipal bonding to pay for the additional costs to continue said bypass pumping operations.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this 2nd day of
November, 2016



Carly Winnie, City Clerk

Adopted by Council on November 1, 2016

Approved by the Mayor this 2nd day of
November, 2016



Steven T. Noble, Mayor

RESOLUTION #233 of 2016

BOND ORDINANCE DATED NOVEMBER 1 2016.

AN ORDINANCE AUTHORIZING WASHINGTON AVENUE TUNNEL SANITARY SEWER DESIGN EXPENSES INCLUDING BYPASS STORM WATER PUMPING, IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$150,000, AND AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, by the favorable vote of not less than two-thirds of all members of said Council, as follows:

Section 1. Washington Avenue tunnel sanitary sewer design expenses including bypass storm water pumping required as a result of blockage, all in and for the City of Kingston, Ulster County, New York, including incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$150,000.

Section 2. The plan for the financing thereof is by the issuance of \$150,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said City ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Comptroller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary form in The Daily Freeman, which is hereby designated as the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____

The ordinance was thereupon declared duly adopted.



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October 27, 2016

VIA E-MAIL (jtuey@kingston-ny.gov)

Mr. John Tuey, City Comptroller
City of Kingston
City Hall/420 Broadway
Kingston, NY 12401

Re: City of Kingston, Ulster County, New York
Washington Avenue Tunnel Project - \$150,000 Bonds
Orrick File: 42394-2-72

Dear John:

In accordance with your recent request, we are enclosing the following relative to the above:

- (1) Draft form for the bond ordinance. As you know, this ordinance must be adopted by a super majority vote; that is a vote of at least two-thirds of the total voting strength of the Council.
- (2) A suggested form for the summary Legal Notice of Estoppel. This Legal Notice of Estoppel should be published once in The Daily Freeman, the official newspaper designated in Section 10 of the bond ordinance.

In due course, please furnish us with the following:

- (a) An ORIGINALLY certified copy of the enclosed bond ordinance.
- (b) An ORIGINAL printer's affidavit of publication of the summary Legal Notice of estoppel from The Daily Freeman.

With best wishes,

Very truly yours,

Tom

Thomas E. Myers
/es

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF ULSTER)

I, the undersigned Clerk of the City of Kingston, Ulster County, New York (the "Issuer"), DO
HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 1st day of November, 2016.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication – should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this ____
day of November, 2016.

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, summary of which is published herewith, has been adopted on November 1 2016, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk of the City for a period of twenty days from the date of publication of this Notice.

Dated: Kingston, New York,
_____, 2016.

City Clerk

BOND ORDINANCE DATED NOVEMBER 1 2016.

AN ORDINANCE AUTHORIZING WASHINGTON AVENUE TUNNEL SANITARY SEWER DESIGN EXPENSES INCLUDING BYPASS STORM WATER PUMPING, IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$150,000, AND AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

Object or purpose:	Washington Avenue tunnel sanitary sewer design expenses including bypass storm water pumping required as a result of blockage
Maximum Estimated Cost:	\$150,000
Period of probable usefulness:	Five years
Amount of obligations to be issued:	\$150,000 bonds

BOND ORDINANCE

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at the Common Council Chambers, City Hall, 420 Broadway, in said City, on the 1st day of November, 2016, at ____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following ordinance was offered by Alderman _____, who moved its adoption, seconded by Alderman _____, to-wit:

Resolution 234 of 2016

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING ASSOCIATED ASBESTOS ABATEMENT AND BUILDING SYSTEMS
EVALUATION FOR THE CENTRAL FIRE STATION ELEVATED FLOOR SYSTEM**

Sponsored By: Finance and Audit Committee:
Aldermen:

WHEREAS, the office of the City Engineer has advertised for professional services For the Central Fire Station Elevated Floor Replacement, Asbestos Abatement and Building Systems Evaluation; and

WHEREAS, C.T. Male has submitted their qualification and fee proposal for the Central Fire Station Elevated Floor Replacement, Asbestos Abatement and Building Systems Evaluation in response to the Request for Proposals dated June 5, 2016; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the Common Council authorizes the the acceptance of C.T. Male's Qualification and Fee Proposal and authorizes an amount of \$75,000.00 to be provided through General Municipal bonding to pay for said costs for the Central Fire Station Elevated Floor Replacement, Asbestos Abatement and Building Systems Evaluation.

SECTION-2. That the Common Council authorizes the Mayor to execute the Consultant Agreement and any all related documents.

SECTION-3. This resolution shall take effect immediately.

Submitted to the Mayor this 2nd day of
November, 2016

Approved by the Mayor this 2nd day of
November, 2016



Carly Winnie, City Clerk



Steven T. Noble, Mayor

Adopted by Council on November 1, 2016

RESOLUTION #235 OF 2016

BOND ORDINANCE DATED NOVEMBER 1 2016.

AN ORDINANCE AUTHORIZING ENGINEERING AND DESIGN WORK FOR THE REPLACEMENT OF THE CENTRAL FIRE STATION ELEVATED FLOOR, IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$75,000, AND AUTHORIZING THE ISSUANCE OF \$75,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, by the favorable vote of not less than two-thirds of all members of said Council, as follows:

Section 1. Engineering and design work for the replacement of the Central Fire Station Elevated Floor in and for the City of Kingston, Ulster County, New York, including incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$75,000.

Section 2. The plan for the financing thereof is by the issuance of \$75,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said City ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Comptroller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary form in The Daily Freeman, which is hereby designated as the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

Alderman _____ VOTING _____

Alderman _____ VOTING _____

Alderman _____ VOTING _____

Alderman _____ VOTING _____

Alderman _____ VOTING _____

Alderman _____ VOTING _____

Alderman _____ VOTING _____

Alderman _____ VOTING _____

Alderman _____ VOTING _____

The ordinance was thereupon declared duly adopted.

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF ULSTER)

I, the undersigned Clerk of the City of Kingston, Ulster County, New York (the "Issuer"), DO
HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 1st day of November, 2016.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication – should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____
day of November, 2016.

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, summary of which is published herewith, has been adopted on November 1 2016, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk of the City for a period of twenty days from the date of publication of this Notice.

Dated: Kingston, New York,
_____, 2016.

City Clerk

BOND ORDINANCE DATED NOVEMBER 1 2016.

AN ORDINANCE AUTHORIZING ENGINEERING AND DESIGN WORK FOR THE REPLACEMENT OF THE CENTRAL FIRE STATION ELEVATED FLOOR, IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$75,000, AND AUTHORIZING THE ISSUANCE OF \$75,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

Object or purpose:	Engineering and design work for the replacement of the Central Fire Station Elevated Floor
Maximum Estimated Cost:	\$75,000
Period of probable usefulness:	Five years
Amount of obligations to be issued:	\$75,000 bonds



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October 27, 2016

VIA E-MAIL (jtuey@kingston-ny.gov)

Mr. John Tuey, City Comptroller
City of Kingston
City Hall/420 Broadway
Kingston, NY 12401

Re: City of Kingston, Ulster County, New York
Replacement of Central Fire Station Elevated Floor - \$75,000 Bonds
Orrick File: 42394-2-72

Dear John:

In accordance with your recent request, we are enclosing the following relative to the above:

- (1) Draft form for the bond ordinance. As you know, this ordinance must be adopted by a super majority vote; that is a vote of at least two-thirds of the total voting strength of the Council.
- (2) A suggested form for the summary Legal Notice of Estoppel. This Legal Notice of Estoppel should be published once in The Daily Freeman, the official newspaper designated in Section 10 of the bond ordinance.

In due course, please furnish us with the following:

- (a) An ORIGINALLY certified copy of the enclosed bond ordinance.
- (b) An ORIGINAL printer's affidavit of publication of the summary Legal Notice of estoppel from The Daily Freeman.

With best wishes,

Very truly yours,

Tom

Thomas E. Myers
/es

BOND ORDINANCE

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at the Common Council Chambers, City Hall, 420 Broadway, in said City, on the 1st day of November, 2016, at ____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following ordinance was offered by Alderman _____, who moved its adoption, seconded by Alderman _____, to-wit:

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

#235

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER _____

DEPARTMENT Finance & Audit DATE 11/1/16
Description Bonding of \$5,000 for Central Fire Station
Elevated Floor Replacement, Asbestos Abatement
and Building System Evaluation Res # 235

Estimated Financial Impact _____ Signature _____

Motion by DB

Seconded by SS

Action Required:

SEQRA Decision:

Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
<u>DA Koop</u> Douglas Koop, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Reynolds Scott</u> Reynolds Scott-Childress Ward 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Anthony Davis</u> Anthony Davis, Ward 6	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Steven Schabot</u> Steven Schabot, Ward 8	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Deborah Brown</u> Deborah Brown, Ward 9	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESOLUTION #236 OF 2016

MEMORIALIZING RESOLUTION OF THE COMMON COUNCIL OF THE CITY
OF KINGSTON, NEW YORK, OPPOSING THE MOVING OF ULSTER COUNTY FAMILY
COURT OUT OF THE CITY OF KINGSTON, AND URGING RESIDENTS TO
VOTE "NO" ON THE NOVEMBER 8, 2016 REFERENDUM

WHEREAS, the Ulster County Family Court is currently located at 16 Lucas Avenue in the City of Kingston; and

WHEREAS, the Ulster County Legislature has selected a new Family Court location at the Business Resource Center, located at 1 Development Court in the Town of Ulster, New York; and

WHEREAS, it is our belief that such a move sets a bad precedent that could be used to justify relocating other government services outside of the City of Kingston; and

WHEREAS, the County based its decision on a faulty feasibility study, ignored the far lower cost of buying and renovating the current building and failed to consider viable relocation alternatives within the City of Kingston; and

WHEREAS, The City of Kingston believes that the Family Court move is a bad move for everyone; and

WHEREAS, the pursuant to New York State's County Law §216, there will be a referendum on the November 8, 2016 ballot; and

NOW THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

Section 1. That the City of Kingston urges all ulster county voters to vote "no" on the November 8, 2016 referendum allowing the move of Family Court to the Town of Ulster.

Section 2. That the City Clerk is hereby directed to forward copies of this resolution to members of the media.

Submitted to the Mayor this 2nd
day of November, 2016


Carly Winnie, City Clerk

Approved by the Mayor this 2nd
day of November, 2016


Steven T. Noble, Mayor